

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER CHARLES CLARK,
Plaintiff,
v.
FIDEL GUTIERREZ, et al.,
Defendants.

Case No. 1:21-cv-01386-EPG (PC)

ORDER RE: PLAINTIFF'S DECLARATION
(ECF No. 6)

Plaintiff is a state prisoner proceeding *pro se* in this civil rights action filed pursuant to 42 U.S.C. § 1983. On September 20, 2021, the Court gave Plaintiff forty-five days to submit an application to proceed in forma pauperis or to pay the \$402 filing fee. (ECF No. 5).

On October 19, 2021, Plaintiff filed a declaration. (ECF No. 6). Plaintiff states that on September 23, 2021, he filed a request for a check in the amount of \$402. However, he has not heard back from the Trust Office or received a copy of the check. Plaintiff further states that "it would possibly be necessary for this court to compel the Trust Office[] to send the check...." (*Id.* at 1).

Plaintiff does not request any relief and the Court will take not issue an order directed at the Trust Office at this time. However, given Plaintiff's attempt to comply with this Court's September 20, 2021 order, the Court grants Plaintiff until December 8, 2021, to comply with the order.

The Court notes that, prior to filing a motion, Plaintiff should first attempt to resolve the

1 issue within the prison system. If Plaintiff is unable to resolve the issue within the prison system,
2 he may file an appropriate motion that includes evidence of his attempts to resolve the issue
3 within the prison system.

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5 IT IS SO ORDERED.

6 Dated: October 20, 2021

/s/ Eric P. Grogan
7 UNITED STATES MAGISTRATE JUDGE
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